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Attorneys for Plaintiffs
Tetris Holding, LLC and The Tetris Company, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TETRIS HOLDING, LLC and THE TETRIS
COMPANY, LLC,

Plaintiffs,

- against -

XIO INTERACTIVE INC.,

Defendant.

Case No. 3:09-cv-6115 (FLW) (DEA)

Hon. Freda L. Wolfson, U.S.D.J.

**NOTICE OF PLAINTIFFS' MOTION
TO VACATE ORDER OF DISMISSAL**

Document Filed Electronically

TO: All Counsel on CM/ECF Service List

PLEASE TAKE NOTICE that, on November 5, 2012, at 10:00 a.m. or as soon thereafter as counsel may be heard, the undersigned, attorneys for Plaintiffs Tetris Holding, LLC and The Tetris Company, LLC (collectively, "TTC") shall move before the Honorable Freda L. Wolfson, U.S.D.J., at the United States District Court, Clarkson S. Fisher Federal Bldg. & U.S. Courthouse, 402 E. State Street, Trenton, NJ 08608, for entry of an Order

vacating the Order of Dismissal entered on July 31, 2012 [Dkt. # 63] and restoring this case to the active calendar;

PLEASE TAKE FURTHER NOTICE that in support of this Motion, TTC shall rely upon the Declaration of Johanna Schmitt and the pleadings and filings in this action. A proposed form of Order is submitted herewith;

PLEASE TAKE FURTHER NOTICE that this motion is submitted for a decision on the papers, pursuant to Fed. R. Civ. P. 78(b).

Dated: September 28, 2012

Respectfully submitted,

s/ Robert J. Schoenberg
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CERTIFICATE OF SERVICE

I hereby certify that on this date, the foregoing Notice of Motion to Vacate Order of Dismissal, Declaration of Johanna Schmitt and proposed form of Order were electronically filed with the Court and automatically served upon counsel of record via the CM/ECF system.

s/ Robert J. Schoenberg
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Dated: September 28, 2012